**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JULIA BRODERSON-HIXON,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIV-09-108-D
	)	
MICHAEL J. ASTRUE, Commissioner,	)	
Social Security Administration,	)	
	)	
Defendant.		

ORDER AND JUDGMENT

Plaintiff brought this action pursuant to 42 U.S.C. §405(g) for review of the Commissioner

of Social Security Administration's decision denying Plaintiff's application for disability benefits

and supplemental security income benefits. The matter was referred to United States Magistrate

Judge Doyle W. Argo for initial proceedings in accordance with 28 U.S.C. §636 (b)(1)(B).   The

parties fully briefed their respective positions and, on October 22, 2009, Judge Argo filed a Report

and Recommendation [Doc. No. 22] in which he recommended that the Commissioner's decision

be reversed and that the matter be remanded for further administrative proceedings.

In the Report and Recommendation, the Magistrate Judge advised the parties of their right

to file objections to the same; he scheduled a November 11, 2009 deadline for filing such

objections. The Magistrate Judge also expressly cautioned the parties that a failure to object to the

Report and Recommendation would constitute a waiver of the right to appeal the findings and

conclusions contained therein. The deadline for filing objections has expired, and neither party has

filed objections or sought an extension of time in which to do so.

Accordingly, the Report and Recommendation [Doc. No. 22] is adopted as though fully set

forth herein. For the reasons set forth in the Report and Recommendation, the decision of the
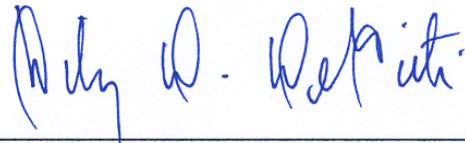
Commissioner denying Plaintiff's application for disability benefits and supplemental security income benefits is REVERSED and this matter is REMANDED for further administrative proceedings consistent with the requirements set forth in the Report and Recommendation.

IT IS SO ORDERED this ___18ᵗʰ___ day of November, 2009.

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TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE